

REMARKS

Claims 1-22 are pending in the Application. Claims 1-22 are rejected under 35 U.S.C. §112, second paragraph. Claims 1-22 are rejected under 35 U.S.C. §103(a). Applicants respectfully traverse these rejections for at least the reasons stated below and respectfully request that the Examiner reconsiders and withdraws these rejections.

I. REJECTIONS UNDER 35 U.S.C. §112, SECOND PARAGRAPH:

The Examiner has rejected claims 1-22 under 35 U.S.C. §112, second paragraph, for allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Paper No. 3, page 2. In particular, the Examiner states that the term "switching" in the preamble of claims 1, 8 and 15 is indefinite "because there is no relationship made with anything else in the claim". Paper No. 3, page 2. Applicants respectfully traverse the assertion that Applicants failed to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Applicants respectfully traverse the assertion that since the term "switching", as recited in the preamble of claims 1, 8 and 15, is not referred to in the body of claims 1, 8 and 15 that claims 1, 8 and 15 are indefinite. This is not an appropriate reason for rejecting claims as being indefinite under 35 U.S.C. §112, second paragraph. A rejection under 35 U.S.C. §112, second paragraph, is not appropriate, when the scope of the claimed subject matter can be determined by one having ordinary skill in the art. M.P.E.P. § 706.03(d). Claims 1-22 clearly set forth the metes and bounds of the patent protection desired in relation to automatically switching remote shared devices to particular server blades in a dense server environment as discussed on pages 7-13 of the Specification. The Examiner has not provided any evidence that a person of ordinary skill in the art would not be able to determine the scope of the claimed subject matter in claims 1, 8 and 15. One having ordinary skill in the art can determine the scope of the claimed subject matter in claims 1-22. Consequently, Applicants respectfully assert that claims 1-22 are

allowable under 35 U.S.C. §112, second paragraph, and respectfully request the Examiner to withdraw the rejections of claims 1-22 under 35 U.S.C. §112, second paragraph.

II. REJECTIONS UNDER 35 U.S.C. §103(a):

The Examiner has rejected claims 1-22 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0194412 to Bottom in view of U.S. Patent No. 6,446,129 (DeForest et al.) (hereinafter "DeForest"). Applicants respectfully traverse these rejections for at least the reasons stated below and respectfully request the Examiner to reconsider and withdraw these rejections.

A. The Examiner has not provided any objective evidence for combining Ream with Bowman.

A *prima facie* showing of obviousness requires the Examiner to establish, *inter alia*, that the prior art references teach or suggest, either alone or in combination, all of the limitations of the claimed invention, and the Examiner must provide a motivation or suggestion to combine or modify the prior art reference to make the claimed inventions. M.P.E.P. §2142. The showings must be clear and particular and supported by objective evidence. *In re Lee*, 277 F.3d 1338, 1343, 61 U.S.P.Q.2d 1430, 1433-34 (Fed. Cir. 2002); *In re Kotzab*, 217 F.3d 1365, 1370, 55 U.S.P.Q.2d 1313, 1317 (Fed. Cir. 2000); *In re Dembiczak*, 50 U.S.P.Q.2d. 1614, 1617 (Fed. Cir. 1999). Broad conclusory statements regarding the teaching of multiple references, standing alone, are not evidence. *Id.*

The Examiner's motivation for modifying Bottom (1) to receive a request to access a shared device from a server blade; (2) to issue a query as to whether the shared device is being accessed; and (3) wherein if the shared device is not being accessed by the server blade then the receiving a response to the query indicating that the shared device is not available and to wait to receive a response that the shared device is available with DeForest is to "improve the managing of the shared resource, which will in turn, decrease cost and complexity, etc. (col. 2, lines 11-36)." Paper No. 3, page 4. The Examiner's motivation (column 2, lines 11-36 of DeForest) is

insufficient to support a *prima facie* case of obviousness for at least the reasons stated below.

The Examiner's motivation is not a motivation as to why one of ordinary skill in the art with the primary reference (Bottom) in front of him would have been motivated to modify Bottom with the teachings of the secondary reference (DeForest). The Examiner's motivation is a motivation for DeForest to solve its problem. Bottom teaches that with today's skyrocketing real estate costs, it is an important consideration for data centers to efficiently use the floor space available for the server systems. [0009]. Bottom further teaches that server systems are generally very cumbersome and time consuming to deploy and repair, and the costs associated with the time it takes to deploy or repair a server also makes a significant impact on the bottom line for a data center operator. [0009]. Bottom further teaches that there is a need for a compact, high-density, rapidly-deployable, high-availability server system having simplified management and serviceability and unlimited scalability. [0010]. Bottom further teaches that the server system would provide higher revenues for data center operators, top-of the-line performance and cost savings. [0010]. DeForest, on the other hand, teaches that the requirement of maintaining, recognizing and responding to a different set of function values for each operating environment or resource protocol for each shared resource managed by a shared resource unit will result in such problems as increased cost and complexity and increased processing time with a resulting decrease in operating speed. Column 2, lines 11-17 (Examiner's source of motivation). Hence, the Examiner's motivation (column 2, lines 11-17 of DeForest) relates to synchronizing function values in a shared resource unit providing shared resources to a plurality of resource users submitting requests in a plurality of protocols. This is not related to developing a simplified management and serviceability and unlimited scalability in order to provide higher revenues and cost savings for data center operators, as taught in Bottom. Instead, the Examiner's motivation is a motivation for DeForest to solve its problem. The Examiner's motivation is not a suggestion to combine Bottom with DeForest. The Examiner must provide objective evidence as to why one of ordinary skill in the art with

Bottom in front of him, which teaches a need for a compact, high-density, rapidly-deployable, high-availability server system having simplified management and serviceability and unlimited scalability ([0010]), would have been motivated to modify the teachings of Bottom with the teachings of DeForest, which teaches synchronizing function values in a shared resource unit providing shared resources to a plurality of resource users submitting requests in a plurality of protocols (column 2, lines 41-46). *See In re Lee*, 61 U.S.P.Q.2d 1430, 1433-34 (Fed. Cir. 2002); *In re Kotzab*, 55 U.S.P.Q.2d 1313, 1318 (Fed. Cir. 2000). Merely stating the motivation to solve the problem of the secondary reference (DeForest) is not evidence for suggesting the combination of the primary reference (Bottom) with the secondary reference (DeForest). *See Id.* Consequently, the Examiner's motivation is insufficient to support a *prima facie* case of obviousness for rejecting claims 1-22. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002).

B. The Examiner has not presented a reasonable expectation of success when combining Bottom with DeForest.

The Examiner must present a reasonable expectation of success in combining Bottom with DeForest in order to establish a *prima facie* case of obviousness. M.P.E.P. §2143.02.

Bottom teaches a modular server system 100 provided for web hosting and ASPs requiring server solutions with carrier-class availability, reliability and scalability. [0017]. Bottom further teaches that at the heart of the modular server system 100 is the midplane 170, which may be a PC-style circuit board having a plurality of blade interfaces 420 providing a common interconnect for all modules connected thereto. [0018]. Bottom further teaches that in the modular server system 100 up to sixteen independent server blades 110 may be supported, along with up to sixteen media blades 150. [0018].

DeForest, on the other hand, teaches one or more client systems 10 are connected with a shared resource unit 12 through one or more networks 14. Column 4, lines 38-41. DeForest further teaches that client systems 10 may be, for example,

general purpose or dedicate processors of various types and may execute different operating environments or different protocols to communicate with shared resource unit 12. Column 4, lines 40-47. DeForest further teaches that shared resource unit 12 is, for example, a file server or one or more general purpose or specialized processors. Column 4, lines 47-49.

The Examiner has not presented any evidence that there would be a reasonable expectation of success in combining Bottom, which relates to server blades connected to media blades in modular server system, with DeForest, that relates to systems with different operating environments or protocols in communication with a shared resource. The Examiner must provide objective evidence as to how a modular server system with server blades connected to media blades would be combined with an architecture that includes systems with different operating environments or protocols in communication with a shared resource. M.P.E.P. §2143.02. Since the Examiner has not provided such evidence, the Examiner has not presented a reasonable expectation of success in combining Bottom with DeForest. M.P.E.P. §2143.02. Accordingly, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 1-22. M.P.E.P. §2143.02.

C. By combining Bottom with DeForest, the principle of operation of Bottom would change.

If the proposed modification or combination of the prior art would change the principle of the operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 U.S.P.Q. 349 (C.C.P.A. 1959). Further, if the proposed modification would render the prior art invention being modified unsatisfactorily for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 U.S.P.Q. 1125 (Fed. Cir. 1984). For the reasons discussed below, Applicant submits that by combining Bottom with DeForest, the principle of operation in Bottom would change and subsequently render the operation of Bottom to perform its purpose unsatisfactorily.

As stated above, Bottom teaches a modular server system 100 provided for web hosting and ASPs requiring server solutions with carrier-class availability, reliability and scalability. [0017]. Bottom further teaches that at the heart of the modular server system 100 is the midplane 170, which may be a PC-style circuit board having a plurality of blade interfaces 420 providing a common interconnect for all modules connected thereto. [0018]. Bottom further teaches that in the modular server system 100 up to sixteen independent server blades 110 may be supported, along with up to sixteen media blades 150. [0018].

As stated above, DeForest, on the other hand, teaches one or more client systems 10 are connected with a shared resource unit 12 through one or more networks 14. Column 4, lines 38-41. DeForest further teaches that client systems 10 may be, for example, general purpose or dedicate processors of various types and may execute different operating environments or different protocols to communicate with shared resource unit 12. Column 4, lines 40-47. DeForest further teaches that shared resource unit 12 is, for example, a file server or one or more general purpose or specialized processors. Column 4, lines 47-49.

By combining Bottom with DeForest, Bottom would no longer be able to have a modular server system with server blades connected to media blades. Instead, Bottom would be modified to have client systems executing different operating environments or different protocols in communication with a shared resource unit through one or more networks. As stated above, the purpose of Bottom is to develop a simplified modular server system that include server blades connected to media blades with unlimited scalability in order to provide higher revenues and cost savings for data center operators. By modifying Bottom to have a different architectural system, Bottom would no longer be able to develop a simplified modular server system that include server blades connected to media blades with unlimited scalability thereby no longer being able to provide higher revenues and cost savings for data center operators. Thus, by combining Bottom with DeForest, the principle of operation in Bottom would change, and subsequently render the operation of Bottom

to perform its purpose unsatisfactorily. Therefore, the Examiner has not presented a *prima facie* case of obviousness for rejecting claims 1-22 *In re Gordon*, 733 F.2d 900, 221 U.S.P.Q. 1125 (Fed. Cir. 1984); *In re Ratti*, 270 F.2d 810, 123 U.S.P.Q. 349 (C.C.P.A. 1959).

D. Bottom and DeForest, taken singly or in combination, do not teach or suggest the following claim limitations.

Applicants respectfully assert that Bottom and DeForest, taken singly or in combination, do not teach or suggest "a method for automatically switching remote shared devices in a dense server environment" as recited in claim 1 and similarly in claims 8 and 15. The Examiner cites "hot swap" as teaching switching and paragraphs 20, 25-26 and 29 of Bottom as teaching the above-cited language. Paper No. 3, page 3. Applicants respectfully traverse and assert that Bottom instead teaches that hot swap refers to replacing a server blade in the modular server system without powering down the entire system. [0025]. There is no language in the cited passage that teaches automatically switching remote shared devices but instead replacing a server blade without powering down the entire system. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 1, 8 and 15, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bottom and DeForest, taken singly or in combination, do not teach or suggest "receiving a request to access a shared device from a server blade" as recited in claim 1 and similarly in claims 8 and 15. The Examiner cites column 6, lines 35-55 of DeForest and paragraphs 26 and 29 of Bottom in combination as teaching the above-cited claim limitation. Paper No. 3, page 3. Applicants respectfully traverse and assert that Bottom instead teaches a server blade that includes a CPU and a server system management bus that allows the server blade to communicate with the midplane. [0026]. Bottom further teaches that the server blade includes interrupt controllers. [0029]. DeForest instead teaches that the client systems may generate requests with one or more of a plurality of different

protocols. There is no language in either Bottom or DeForest or in combination that teaches receiving a request to access a shared device from a server blade. DeForest instead teaches a client system (not a server blade) generating a request to a shared resource. Neither is there any language in the cited passages in DeForest that specifies as to what type of request, e.g., whether the request is a request to access a shared device. In the cited passages of Bottom, there is no language that teaches receiving a request to access a shared device from a server blade. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 1, 8 and 15, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bottom and DeForest, taken singly or in combination, do not teach or suggest "issuing a query as to whether said shared device is being accessed" as recited in claim 1 and similarly in claims 8 and 15. The Examiner cites column 6, lines 35-55 of DeForest and paragraphs 26 and 29 of Bottom in combination as teaching the above-cited claim limitation. Paper No. 3, page 3. Applicants respectfully traverse and assert that Bottom instead teaches a server blade that includes a CPU and a server system management bus that allows the server blade to communicate with the midplane. [0026]. Bottom further teaches that the server blade includes interrupt controllers. [0029]. DeForest instead teaches that the client systems may generate requests with one or more of a plurality of different protocols. There is no language in either Bottom or DeForest or in combination that teaches issuing a query as to whether a shared device is being accessed. DeForest instead teaches a client system generating a request to a shared resource. In the cited passages of Bottom, there is no language that teaches issuing a query as to whether a shared device is being accessed. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 1, 8 and 15, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bottom and DeForest, taken singly or in combination, do not teach or suggest "wherein if said shared device is not being accessed by said server blade then the method further comprises the steps of: receiving a response to said query indicating that said shared device is not available" as recited in claim 1 and similarly in claims 8 and 15. The Examiner cites column 6, lines 35-55 of DeForest and paragraph 26 of Bottom in combination as teaching the above-cited claim limitation. Paper No. 3, page 3. Applicants respectfully traverse and assert that Bottom instead teaches a server blade that includes a CPU and a server system management bus that allows the server blade to communicate with the midplane. [0026]. DeForest instead teaches that the client systems may generate requests with one or more of a plurality of different protocols. As stated above, there is no language in either Bottom or DeForest or in combination that teaches issuing a query as to whether a shared device is being accessed. Neither is there any language in either Bottom or DeForest or in combination that teaches determining that the shared device is not being accessed by a server blade. Neither is there any language in either Bottom or DeForest or in combination that teaches receiving a response to the query indicating that the shared device is not available. DeForest instead teaches a client system generating a request to a shared resource. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 1, 8 and 15, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bottom and DeForest, taken singly or in combination, do not teach or suggest "wherein if said shared device is not being accessed by said server blade then the method further comprises the steps of: waiting to receive a response that said shared device is available" as recited in claim 1 and similarly in claims 8 and 15. The Examiner cites column 6, lines 35-55 of DeForest and paragraph 26 of Bottom in combination as teaching the above-cited claim limitation. Paper No. 3, page 3. Applicants respectfully traverse and assert that Bottom instead teaches a server blade that includes a CPU and a server system management bus that allows the server blade to communicate with the midplane to

monitor the midplane and the modules, to monitor on-board operating voltages and temperatures and to "trip" an alarm if thresholds are exceeded. [0026]. DeForest instead teaches that the client systems may generate requests with one or more of a plurality of different protocols. As stated above, there is no language in either Bottom or DeForest or in combination that teaches issuing a query as to whether a shared device is being accessed. Neither is there any language in either Bottom or DeForest or in combination that teaches determining that the shared device is not being accessed by a server blade. Neither is there any language in either Bottom or DeForest or in combination that teaches waiting to receive a response that the shared device is available if the shared device is not being accessed by a server blade. Bottom instead teaches that triggering an alarm if thresholds are exceeded. There is not waiting being accomplished as asserted by the Examiner. Neither is there any language in the cited passage in Bottom that teaches waiting to receive a response that a shared device is available. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 1, 8 and 15, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bottom and DeForest, taken singly or in combination, do not teach or suggest "one or more shared devices; and a plurality of server blades coupled to said one or more shared devices via a service unit, wherein said service unit is configured to establish a connection between one of said one or more shared devices and one of said plurality of server blades requesting to access said one of said one or more shared devices" as recited in claim 15. The Examiner cites paragraphs 29 and 31-33 of Bottom as teaching the above-cited claim limitations. Paper No. 3, page 6. Further, the Examiner cites media blade 150 of Bottom as teaching a service unit as recited in the above-cited claim limitation. Paper No. 3, page 6. Applicants respectfully traverse and assert that Bottom instead teaches that the server blade includes a USB connector. [0029]. While the server blades as taught in Bottom include a USB connector, there is no language in Bottom that teaches that the server blade is connected to a shared device via a media blade

(Examiner asserts that element 150 of Bottom teaches a service unit). Applicants have searched through Figures 1, 5 and 6 of Bottom and were unable to identify a shared device connected to a server blade via a media blade. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claim 15, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Claims 2-7, 9-14 and 16-22 each recite combination of features including the above combinations, and thus are not anticipated for at least the above-stated reasons. Claims 2-7, 9-14 and 16-22 recite additional features which, in combination with the features of the claims upon which they depend, are patentable over Bottom in view of DeForest.

For example, Bottom and DeForest, taken singly or in combination, do not teach or suggest "determining if said shared device is being accessed" as recited in claim 2 and similarly in claims 9 and 16. The Examiner cites paragraphs 20 and 25 of Bottom as teaching the above-cited claim limitation. Paper No. 3, page 4. Applicants respectfully traverse and assert that Bottom instead teaches that four switch blades where one can be assigned to an Ethernet channel for system management traffic and another assigned to a channel for Web traffic while the remaining two switch blades may be placed in standby mode for hardware and/or software fail-over capability. [0020]. Bottom further teaches the "hot swap" functionality in a multi-server environment that allows a server blade to be replaced without powering down the entire system. [0025]. There is no language in the cited passages in Bottom that teaches determining if a shared device is being accessed. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 2, 9 and 16, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bottom and DeForest, taken singly or in combination, do not teach or suggest "wherein if said shared device is not being

accessed then the method further comprises the steps of: connecting said shared device with said server blade" as recited in claim 3 and similarly in claims 10 and 17. The Examiner cites paragraphs 31-33 of Bottom as teaching the above-cited claim limitation. Paper No. 3, page 4. Applicants respectfully traverse and assert that Bottom teaches a media blade having a connection with a server blade via a midplane. [0031]. However, there is no language that the connection between the server blade and the media blade occurs if that media blade is not being accessed. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 3, 10 and 17, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bottom and DeForest, taken singly or in combination, do not teach or suggest "transferring said request to access said shared device to said shared device" as recited in claim 3 and similarly in claims 10 and 17. The Examiner cites paragraphs 20 and 25 of Bottom as teaching the above-cited claim limitation. Paper No. 3, page 4. Applicants respectfully traverse and assert that Bottom instead teaches that four switch blades where one can be assigned to an Ethernet channel for system management traffic and another assigned to a channel for Web traffic while the remaining two switch blades may be placed in standby mode for hardware and/or software fail-over capability. [0020]. Bottom further teaches the "hot swap" functionality in a multi-server environment that allows a server blade to be replaced without powering down the entire system. [0025]. There is no language in the cited passages in Bottom that teaches transferring a request to access a shared device to the shared device. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 3, 10 and 17, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bottom and DeForest, taken singly or in combination, do not teach or suggest "determining if said shared device is being

accessed by said server blade" as recited in claim 4. The Examiner cites paragraph 26 of Bottom as teaching the above-cited claim limitation. Paper No. 3, page 4. Applicants respectfully traverse. As stated above, Bottom instead teaches a server blade that includes a CPU and a server system management bus that allows the server blade to communicate with the midplane to monitor the midplane and the modules, to monitor on-board operating voltages and temperatures and to "trip" an alarm if thresholds are exceeded. [0026]. There is no language in the cited passage in Bottom that teaches determining if a shared device is being accessed by a server blade. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 4, 11 and 18, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bottom and DeForest, taken singly or in combination, do not teach or suggest "wherein if said shared device is being accessed by said server blade then the method further comprises the steps of: connecting said shared device with said server blade" as recited in claim 5. The Examiner cites paragraphs 31-33 of Bottom as teaching the above-cited claim limitation. Paper No. 3, page 5. Applicants respectfully traverse and assert that Bottom teaches a media blade having a connection with a server blade via a midplane. [0031]. However, there is no language that the connection between the server blade and the media blade occurs if that media blade is being accessed by that server blade. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 5, 12 and 19, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bottom and DeForest, taken singly or in combination, do not teach or suggest "transferring said request to access said shared device to said shared device" as recited in claim 5 and similarly in claims 12 and 19. The Examiner cites paragraphs 20 and 25 of Bottom as teaching the above-cited claim limitation. Paper No. 3, page 5. Applicants respectfully traverse and assert that

Bottom instead teaches that four switch blades where one can be assigned to an Ethernet channel for system management traffic and another assigned to a channel for Web traffic while the remaining two switch blades may be placed in standby mode for hardware and/or software fail-over capability. [0020]. Bottom further teaches the "hot swap" functionality in a multi-server environment that allows a server blade to be replaced without powering down the entire system. [0025]. There is no language in the cited passages in Bottom that teaches transferring a request to access a shared device to the shared device. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 5, 12 and 19, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bottom and DeForest, taken singly or in combination, do not teach or suggest "receiving said response that said shared device is available" as recited in claim 6 and similarly in claims 13 and 20. The Examiner cites paragraph 26 of Bottom as teaching the above-cited claim limitation. Paper No. 3, page 5. Applicants respectfully traverse. As stated above, Bottom instead teaches a server blade that includes a CPU and a server system management bus that allows the server blade to communicate with the midplane to monitor the midplane and the modules, to monitor on-board operating voltages and temperatures and to "trip" an alarm if thresholds are exceeded. [0026]. There is no language in the cited passage in Bottom that teaches receiving a response that a shared device is available. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 6, 13 and 20, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bottom and DeForest, taken singly or in combination, do not teach or suggest "transferring said request to access said shared device to said shared device" as recited in claim 6 and similarly in claims 13 and 20. The Examiner cites paragraphs 20 and 25 of Bottom as teaching the above-cited

claim limitation. Paper No. 3, page 5. Applicants respectfully traverse. As stated above, Bottom instead teaches that four switch blades where one can be assigned to an Ethernet channel for system management traffic and another assigned to a channel for Web traffic while the remaining two switch blades may be placed in standby mode for hardware and/or software fail-over capability. [0020]. Bottom further teaches the "hot swap" functionality in a multi-server environment that allows a server blade to be replaced without powering down the entire system. [0025]. There is no language in the cited passages in Bottom that teaches transferring a request to access a shared device to the shared device. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 6, 13 and 20, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bottom and DeForest, taken singly or in combination, do not teach or suggest "wherein said shared device is a Universal Serial Bus device" as recited in claim 7 and similarly in claims 14 and 21. The Examiner cites paragraph 29 of Bottom as teaching the above-cited claim limitation. Paper No. 3, page 5. Applicants respectfully traverse and assert that Bottom instead teaches that the server blade includes a USB connector. While the server blade includes a USB connector, there is no language in the cited passage that teaches that the server blade is connected to a shared device that is a USB device. The Examiner had previously cited element 150 (media blade) of Bottom as teaching a shared device. There is no language in the cited passage of Bottom that teaches that the media blade of Bottom is a USB device. Therefore, the Examiner has not presented a *prima facie* case of obviousness in rejecting claims 7, 14 and 21, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

As a result of the foregoing, Applicants respectfully assert that there are numerous claim limitations not taught or suggested in the cited art, and thus the

Examiner has not presented a *prima facie* case of obviousness in rejecting claims 1-22. M.P.E.P. §2143.

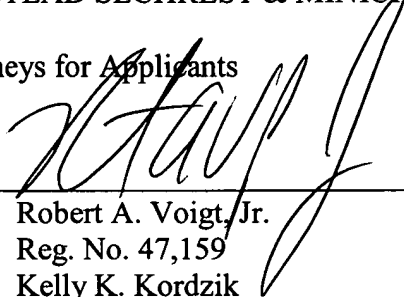
II. CONCLUSION

As a result of the foregoing, it is asserted by Applicants that claims 1-22 in the Application are in condition for allowance, and Applicants respectfully request an allowance of such claims. Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining issues.

Respectfully submitted,

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